

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CHARMAINE TOWANDA DAVIS,	:	CIVIL ACTION
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
COMMISSIONER OF SOCIAL	:	NO. 18-5247
SECURITY,	:	
	:	
Defendant.	:	

**ORDER**

**AND NOW**, this 31<sup>st</sup> day of October, 2019, upon consideration of Plaintiff's Brief and Statement of Issues in Support of Request for Review (Doc. No. 10), Defendant's Response thereto (Doc. No. 15), Plaintiff's Reply (Doc. No. 18), Defendant's Motion to Stay (Doc. No. 19), and Plaintiff's Response thereto (Doc. No. 20), IT IS HEREBY ORDERED THAT:

1. Defendant's Motion to Stay is DENIED;
2. Plaintiff's Request for Review is GRANTED;
3. This matter is REMANDED to the Commissioner of Social Security for further proceedings consistent with the accompanying Memorandum Opinion before an ALJ other than the one who previously heard it—one who has been properly appointed in compliance with the Appointments Clause of the United States Constitution; and
4. The Clerk of Court shall mark this case CLOSED.

BY THE COURT:

*/s/ Marilyn Heffley*

MARILYN HEFFLEY

UNITED STATES MAGISTRATE JUDGE